

REMARKS

1. Applicants notes with appreciation the indicated allowability of claims 1-6, 11-16, and 25-30.

2. Applicants acknowledge with appreciation the indicated allowability of claims 8, 18, and 22-24 which would be allowed if rewritten in independent form. These claims have been amended as suggested and are now believed to be in condition for allowance, which is respectfully requested. Dependent claims 9 and 10 are now dependent either directly or indirectly from amended independent claim 8; therefore these dependent claims are likewise now believed to be in condition for allowance, which is respectfully requested. Dependent claims 19 and 20 are now dependent, either directly or indirectly from amended independent claim 18; therefore these dependent claims are likewise now believed to be in condition for allowance, which is respectfully requested.

3. Claims 7 and 21 were rejected as being obvious over Cunningham in view of Raymond. In response to the rejection of claims 7 and 21, Applicants submit herewith a Declaration under 37 CFR 1.132 from Scott J. Senner to establish commercial success of the valve which commercial success is attributed to the combination of features and in particular those features relating to the formed to fit valve seat. This Declaration obviates obviousness. Cunningham, the principal reference in the obviousness rejection of these claims specifically teaches the avoidance of other than elastic deformation of the metal sealing ring, see for example at column 2, lines 25-39. See also column 3, lines 58-64. Thus, the suggested combination of Raymond with Cunningham is an inappropriate combination of references since the combination of Raymond

with Cunningham would destroy the very functionality of the teaching of Cunningham.

Additionally, it is pointed out that the seat 60 of Raymond is a different structure than that disclosed in Cunningham. The seat 60 is fixed in position and is not meant for resilient deformation as are the lips (seats) 42D and 43D as shown in Fig. 7 of Cunningham. The seats or lips 42D, 43D are positioned and constructed to provide a staged sealing with the sealing surface 48D of the Cunningham valve. In fact, it is specifically disclosed in column 5, starting at about line 3 that the final stop for the sealing surface 48D is the fixed seat 38D, not the lips 42D or 43D. Thus, Cunningham teaches a completely different structure than that of Raymond and it would be inappropriate to combine the two teachings for the foregoing reasons. In view of the commercial success and the inappropriateness of the combination, it is submitted that claims 7 and 21 are also in a condition for allowance.

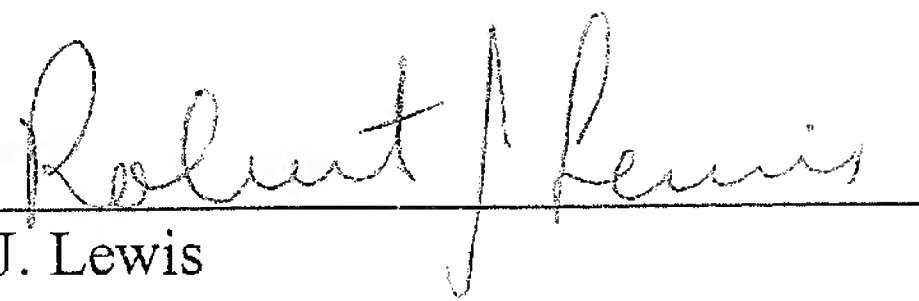
Applicants' request for extension of time under 37 CFR 1.136(a) as well as Applicants' petition fee are enclosed herewith and filed simultaneously with this response.

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Application of: Rodney C. Hope, et al.
Serial No.: 10/604,494
Amendment B

Respectfully submitted,

Date: 7/31/06



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